

REMARKS

The application has been reviewed in light of the Office Action dated August 11, 2005. Claims 1-80 were pending. By this Amendment, new dependent claim 81 has been added. Accordingly, claims 1-81 are now pending, with claims 1, 2, 23, 24, 45, 46, and 67 being in independent form.

Claims 1, 23, 45, 67, 68, 71 and 72 were rejected under 35 U.S.C. §102(b) as purportedly anticipated by U.S. Patent No. 5,696,598 to Yoshida et al. (hereinafter "Yoshida '598"). Claims 2-4, 6, 24-26, 28, 46-48 and 50 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of U.S. Patent No. 6,587,219 to Saito et al. Claims 5, 27 and 49 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of U.S. Patent No. 6,335,966 to Toyoda (hereinafter "Toyoda '966"). Claims 7, 10, 11, 15, 16, 18, 29, 32, 33, 37, 38, 40, 51, 54, 55, 59, 60 and 62 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of U.S. Patent No. 5,818,609 to Yamamuro. Claims 8, 9, 19, 30, 31, 41, 52, 53 and 63 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of Yamamuro further in view of Toyoda '966. Claims 13, 14, 35, 36, 57 and 58 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of Yamamuro further in view of U.S. Patent No. 6,816,911 to Toyoda et al. (hereinafter "Toyoda '911"). Claims 17, 20, 39, 42, 61 and 64 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of Yamamuro further in view of U.S. Patent No. 6,493,103 to Toyoda et al. (hereinafter "Toyoda '103"). Claims 21, 43 and 65 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida '598 in view of Saito further in view of Yamamuro further in view of U.S. Patent

No. 5,959,741 to Yoshida et al. (hereinafter “Yoshida ‘741”). Claims 12, 22, 34, 44, 56 and 66 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Saito further in view of Yamamuro further in view of U.S. Patent No. 5,627,658 to Connors et al. Claim 69 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Toyoda ‘103. Claim 70 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of U.S. Patent No. 5,801,846 to Nobuta. Claim 73 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Yamamuro. Claims 74 and 75 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Toyoda ‘966. Claims 76 and 77 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Toyoda ‘966 further in view of Connors. Claim 78 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Toyoda ‘103. Claim 79 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of Yoshida ‘741. Claim 80 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Yoshida ‘598 in view of U.S. Patent No. 6,414,759 to Ikegami et al.

Applicant has carefully considered the Examiner’s comments and the cited art, and respectfully submits that claims 1, 2, 23, 24, 45, 46, and 67 are patentable over the cited art, for at least the following reasons.

This application relates to techniques, such as for facsimile communications, for using communication functions (such as capabilities for color images) of other terminals. Such communication functions often include costly and/or advanced functions which are typically not provided on each and every terminal. However, a sending machine will transmit image information invoking such advances functions only if the sending device knows that the destination has such communication capabilities.

Applicant devised techniques which allow an office which uses plural facsimile apparatuses to share communications functions (such as capabilities for color images) amongst the plural facsimile apparatuses, when those capabilities are not resident on each and every one of the plural facsimile apparatuses. For example, a facsimile apparatus not having a color printing capability may maintain a register of one (or more) of the other facsimile apparatuses which has a color image communications capability (and/or other communications capabilities). At a beginning of communications from a sending machine, the facsimile apparatus notifies the sending machine of the color printing capability, and transfers color image information received from the sending machine to the registered facsimile apparatus having color printing capability (for example, the “transfer communications machine” referenced in the application). The pending claims include these features.

Yoshida ‘598 is the primary reference cited in the Office Action.

Yoshida ‘598, as understood by Applicant, is directed to a facsimile apparatus which includes means for discriminating whether a received image is color image and whether a destination has a color image capability. If a color image is received and the destination has a color image capability, the received color image is transmitted to the destination. On the other hand, if the destination is incapable of receiving color transmission, the received color image is converted to a monochromic image and then sent to the destination.

However, the facsimile apparatus of Yoshida ‘598 does not notify a sending machine of whether the destination has a color image capability, as provided by the claimed invention.

In the system of Yoshida ‘598, the sending device is not concerned with whether the facsimile apparatus or the destination has the advanced communications function to handle color images, and therefore is not notified of whether the advanced communications capability is

present at the receiving end. On the other hand, the facsimile apparatus has the responsibility of ensuring that the image related to the destination can be handled by the destination.

Connors, as understood by Applicant, is directed to a networked multifunction device, including a facsimile function, which maintains a queue of jobs to be performed. When the multifunction device receives a job requiring a facsimile function, the device checks its queue for facsimile jobs. If no facsimile jobs are on its queue, the multifunction device transmits the job in accordance with job priority control arrangement of the device. If prior facsimile jobs are on its queue, the multifunction device looks for another multifunction device which is available to perform the facsimile job. Thus, the multifunction device will ensure that the received job is transmitted by facsimile, either by itself or another multifunction device.

However, Connors like Yoshida '598, does not teach or suggest that when the multifunction device transfers a facsimile job to another multifunction device, the device from which the job is received is notified of the communications capability of the other multifunction device to which the job is transferred, as provided by the claimed invention.

Connors is further distinguishable from the claimed invention of the present application in that Connors is concerned with the availability, as opposed to capability, of the multifunction device and the other multifunction device to transmit the facsimile job.

Saito, as understood by Applicant, is directed to an Internet facsimile apparatus. The Office Action cites Saito as purportedly disclosing a mechanism for notifying of an enhancement communications capability.

Toyoda '966, as understood by Applicant, is directed to an Internet facsimile apparatus which inquires a server the capability of a destination, and then adapts an image to be suitable to the capability of the destination, and then transmits the image to the destination.

Yamamuro, as understood by Applicant, is directed to a facsimile apparatus including means for communicating with a host computer to transfer image data from the host computer, and means for stopping the transfer if image data stored in a memory of the facsimile apparatus has reached a predetermined volume.

Toyoda '911, as understood by Applicant, is directed to a relay apparatus which relays image information from a terminal on a computer network to a facsimile apparatus on a telephone network. Toyoda '911 was cited in the Office Action as purportedly disclosing a mechanism for performing a retry call after detecting that the transmission destination is busy.

Toyoda '103, as understood by Applicant, is directed to image data communication between an electronic mail apparatus and a facsimile apparatus.

Yoshida '741, as understood by Applicant, is directed to a facsimile apparatus wherein received image data is processed according to a received sub-address signal.

Nobuta, as understood by Applicant, is directed to image communication including both color images and monochrome images.

Ikegami, as understood by Applicant, is directed to an apparatus capable of handling both color images and monochrome images and having selectable modes for handling a received document having one or more color pages, including (1) a first mode in which all pages of the received document are output only, (2) a second mode in which only color pages are output, (3) a third mode in which all pages are transferred to an external apparatus, and (4) a fourth mode in which only color pages are transferred to the external apparatus.

Saito, Toyoda '966, Yamamuro, Toyoda '911, Toyoda '103, Yoshida '741, Nobuta and Ikegami were cited against dependent claims of this application.

However, Applicant does not find disclosure or suggestion by the cited art, however, of a

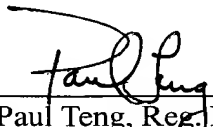
communications terminal wherein a communications mechanism is configured to perform communications with a sending communications machine and a transfer communications machine, a registering mechanism configured to register an address and a communications capability of the transfer communications machine, and a controlling mechanism instructs a notifying mechanism to notify the sending communications machine of the communications capability at a beginning of communications with the sending communications machine, and instructs the communications mechanism to transfer image information received from the sending communications machine to the transfer communications machine using the address of the transfer communications machine stored in the registering mechanism, as provided by the claimed invention of the present application.

Accordingly, for at least the above-stated reasons, Applicant respectfully submits that independent claims 1, 2, 23, 24, 45, 46, and 67, and the claims depending therefrom, are patentable over the cited art, and that this application is in condition for allowance.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Office is hereby authorized to charge any fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



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